

COMMITTEE ON JUDICIARY

Representative Edwin W. Farnsworth, Chairman
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* Strike-Everything Amendment
 [E] Emergency Clause
 [P 105] Proposition 105 Clause
 [P 108] Proposition 108 Clause
 [LIV] Line Item Veto
 [W/O] Without Emergency Clause
 [W/S] Without Signature

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HB 2003 – Chapter 127 [E] – watercraft; civil and criminal penalties

Makes changes to watercraft statutes relating to operating a motorized watercraft while under the influence of intoxicating liquor or drugs. Prescribes a Class 3 misdemeanor for a collision or accident that results only in damage to property of another. Directs penalty assessments to be distributed into the Law Enforcement and Boating Safety Fund, rather than the Public Safety Equipment Fund. Prescribes a civil penalty for a violator who refuses to submit to or complete a test to determine the alcohol concentration or drug content of the person's blood. After an arrest, a case shall proceed pursuant to the procedures for civil traffic violations. Prescribes an aggravated offense if the operator of a motorized watercraft is under the influence of intoxicating liquor or drugs and has a passenger on board that is under the age of 15.

HB 2021 – Chapter 41 - *litigants designation; vexatious

Allows the presiding judge of the superior court or a judge designated by the presiding judge of the superior court to designate a pro se litigant as a vexatious litigant in a noncriminal case. Prohibits a pro se litigant who has been designated as vexatious from filing any new pleading, motion or document without prior leave of the court. Becomes effective from and after December 31, 2014.

HB 2107 – Chapter 45 [P 105] – elections; candidate, ballot measure signatures

Changes the date for the Presidential Preference Election. Codifies the current election system that allows voters to sign nomination petitions and submit Citizen's Clean Election \$5 contribution qualification forms online. Prescribes requirements for both nonresident and paid statewide petition circulators and outlines corrective action for noncompliance.

HB 2151 – Chapter 49 - *amusement gambling

Increases the merchandise prize limit related to amusement gambling from \$35 to \$550.

HB 2163 – Chapter 165 – limited liability; space flight activities

Allows a space flight entity to enter into a liability release agreement with a space flight participant to limit the entity's civil liability for a space flight participant's injury that arises out of space flight activity.

HB 2164 – Chapter 257 – laser pointer; aircraft; violation

Prohibits a person from aiming a laser pointer at an occupied aircraft if the person intentionally or knowingly directs the beam of light from a laser pointer or laser emitting device at an aircraft and the person knows or reasonably should know that the aircraft is occupied. Prescribes a Class 1 misdemeanor for a violation. If a violation renders a pilot unable to safely operate the aircraft or causes serious physical injury to any person on board the aircraft, then the violation is classified as assault.

HB 2196 - Chapter 5 - election law amendments; repeal...

Repeals Laws 2013, Chapter 209.

HB 2197 – Chapter 87 – ACC; securities enforcement; spousal joinder

Prohibits the ACC from joining a defendant's former spouse in an action related to the sale of securities. Allows the ACC to apply to the courts to obtain assets transferred illegally to a former spouse of a defendant on a showing of clear and convincing evidence.

HB 2307 – Chapter 206 – *deferred prosecution fund

Allows county attorneys to establish a County Attorney Deferred Prosecution Fund (Fund). The

Arizona Prosecuting Attorneys' Advisory Council shall modify the guidelines, as necessary, to conform to any changes that are made to a statute that authorizes the program. A county attorney who has established a deferred prosecution program shall maintain statistics relating to the performance of the program and shall annually report to the Legislature and JLBC. Outlines revenue sources for the Fund and allows the county attorney discretion as to how to use the Fund.

HB 2312 – Chapter 144 – tampering with a witness

Expands the definition of *tampering with a witness* to include the act of communicating directly or indirectly with a witness in order to evade a summons or a subpoena. Specifies that in a criminal case a minor who has agreed to an interview may not be interviewed by the defendant, the defendant's attorney, or an agent of the defendant unless the prosecutor is notified at least five days in advance, and the prosecutor may be present at the interview.

HB 2382 – Chapter 208 – conspiracy; homicide; statute of limitation

Specifies that conspiracy to commit homicide that results in the death of a person is not subject to the statute of limitations.

HB 2408 – Chapter 149 - *public officer; financial disclosure; filing

Allows public officers to file financial disclosure statements in a form prescribed by the SOS's office that includes authorization for future filings to be submitted in an electronic format beginning January 1, 2017.

HB 2453 – Chapter 36 [E] - synthetic drugs; reporting

Expands the definition of *dangerous drug* and *narcotic drugs* by adding additional synthetic substances. Eliminates a double reporting requirement relating to the sale of precursor or regulated chemicals.

HB 2454 – Chapter 151 – human trafficking; prostitution

Adds human trafficking related crimes to the definition of *racketeering* and makes changes to the crime of child prostitution. The measure prescribes escort and massage therapy advertising requirements and creates the Human Trafficking Victim Assistance Fund.

HB 2461 – Chapter 152 – probation officers; authority

Allows all probation officers to enforce pretrial release conditions.

HB 2483 – Chapter 62 – firearms; private land; lawful discharge

Prohibits a city, town or county from enacting an ordinance that would prevent, restrict or otherwise regulate the lawful discharge of a firearm or air gun or use of archery equipment on a private lot or parcel of land that is not open to the public on a commercial or membership basis. Conditions in which the lawful discharge of a gun may be enjoined. Any claim or action filed must be proved by clear and convincing evidence.

HB 2514 – Chapter 239 – combat-related special compensation

Prohibits the courts from considering combat related special compensation in determining the separation of property and spousal maintenance in a divorce proceeding.

HB 2515 – Chapter 268 – unlawful distribution of private images

Prohibits a person from intentionally disclosing, displaying, distributing, publishing, advertising or offering a photograph, videotape, film or digital recording of a person in a state of nudity or engaged in specific sexual activities if the person knows or should have known that the depicted

person has not consented to the disclosure.

HB 2535 – Chapter 173 – certification of firearm transfers

Specifies that a chief law enforcement officer has 60 days to either certify or deny the transfer of a firearm.

HB 2563 – Chapter 269 – juvenile crime victims’ rights

Modifies the rights of victims of juvenile delinquency. Provides that if a juvenile is adjudicated delinquent, the juvenile cannot deny the elements of the delinquency in a later civil action by the victim or the state. States that a victim of delinquency retains the victim’s rights if the delinquency is overturned and a new hearing is provided. Outlines notification requirements that are to be provided to victims of juvenile delinquency. Increases the victim’s right to privacy and right to release information. Establishes the effects of failure to comply with victims’ rights. Aligns state statute regarding a victim’s right to privacy.

HB 2565 – Chapter 270 – manslaughter; assisting suicide

Specifies that a person commits manslaughter by intentionally providing the physical means that another person uses to commit suicide, with the knowledge that the person intends to commit suicide.

HB 2567 – Chapter 155 – theft of trade secrets; offense

Classifies and defines the theft of trade secrets. Outlines what actions constitute theft of trade secrets and prescribes a Class 5 felony for a violation.

HB 2571 – Chapter 176 – criminal damage; economic costs

Prescribes the types of costs in determining damages for the offenses of criminal damage and aggravated criminal damage.

HB 2593 – Chapter 156 – death; postconviction; appellate proceedings; dismissal

Describes the dismissal of appellate and postconviction proceedings upon the death of a convicted defendant and states that a person sentenced to life in prison for an offense committed before 18 years of age is eligible for parole upon completion of the minimum sentence.

HB 2625 – Chapter 158 – penalty assessment; victims’ rights enforcement

Adds a new section of law that prescribes a \$2 penalty assessment on various fines, penalties and forfeitures. Establishes the Victims’ Rights Enforcement Fund.

HB 2639 – Chapter 159 – identity theft; violation; penalties

Prescribes the classification of the offense of knowingly accepting the identity of another person.

HB 2665 – Chapter 241 [E] – campaign finance; election; candidate committees

Makes changes to election laws regarding campaign finance, elections and candidate committees.

SB 1179 – Chapter 242 – constables; prohibited acts

Prohibits constables from acting as private process servers or owning a related business.

SB 1221 – Chapter 234 – attorney general representation; nonparty subpoena.

Authorizes the AG to represent a current or former officer or employee of this state who is subject to a civil nonparty subpoena and permits an agency authorized to employ legal counsel to provide representation to its officers or employees in a civil action or subject to a nonparty

civil subpoena.

SB 1248 – Chapter 77 [E] – jury service; lengthy trial fund

Reauthorizes the Supreme Court to establish an additional filing, appearance and answer or response fee to be deposited in the Arizona Lengthy Trial Fund to pay juror expenses in cases that last longer than five days. Allows a physician assistant to provide the court or jury commissioner with a medical statement explaining an existing mental or physical condition that renders a prospective juror unfit for jury service.

SB 1266 – Chapter 189 – misconduct involving weapons; judicial officers

Allows an elected or appointed judicial officer, under certain conditions, to carry a deadly weapon in the court facility where the judicial officer works.

SB 1342 – Chapter 224 – unlawful mutilation; female genitalia

Specifies what constitutes the offense of unlawful mutilation. Prescribes a Class 2 felony for an offense. Outlines sentencing guidelines.

SB 1344 – Chapter 225 – contribution limits; clean elections authority

Clarifies that the SOS and the AG have investigative and enforcement authority over complaints filed against traditional candidates running for statewide or legislative offices who have allegedly violated campaign contribution limits. Adds a new section of law that prescribes what an election official shall use as evidence of coordination and clarifies which expenditures are not to be considered as independent expenditures.

SB 1460 – Chapter 195 – used catalytic converter; purchase; sale

Resolves a conflict in statute by allowing scrap metal dealers to purchase and sell used catalytic converters under certain circumstances.